

Ser. No. 09/673,897
Internal Docket No. PF980020
April 4, 2007

Customer No. 24498

Remarks/Arguments

Rejection of claims 1-10 under 35 USC 102(e) as being anticipated by Shinotsuka (US 6353765)

Applicants submit that this rejection is moot since Shinotsuka '765 cannot be applied as a prior art reference under 35 USC 102(e) against the present application. The reference date of Shinotsuka '765 under 35 USC 102(e) is the US filing date of September 28, 1998 (see MPEP 2136.03). The present application is based on PCT application PCT/FR99/00943 filed April 21, 1999, which claims the benefit of French Patent Application No. 9805110, filed April 23, 1998. As indicated in the Notification of Acceptance, which lists April 23, 1998, as the priority date, the proper copies of the priority document, PCT papers, and Oath and Declaration of the Inventors were received by the USPTO. Thus, Applicants submit that the priority date of the present application is April 23, 1998, and predates the reference date of Shinotsuka '765.

The specification of this application is amended herein to include a reference to the aforementioned PCT application and the priority French application. Applicants submit that this amendment to the specification is proper and timely pursuant to 37 CFR 1.78(a)(5)(ii).

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CONCLUSION

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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